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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,577	03/20/2006	Ronan Toulemont	11345/117001	1356

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EXAMINER	
BELCHER, HERMAN A	

ART UNIT	PAPER NUMBER
2448	

NOTIFICATION DATE	DELIVERY MODE
01/25/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/517,577	TOULEMONT ET AL.	
	Examiner	Art Unit	
	HERMAN BELCHER	2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 November 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/10/2009 has been entered.

2. Claim 6 has been cancelled.

3. Claim 1 has been amended.

4. Claims 1-5 and 7-10 are pending.

5. Claims 1-5 and 7-10 are rejected.

Response to Amendment

6. Applicants' arguments filed 11/10/2009 regarding the prior art rejections of claims 1-5 and 7-10 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over David Michael Geshwind (US Patent No. 6507872 B1, referred herein after Geshwind) in view of Kinya Takahashi (US Patent No 6697859 B1, referred herein after Takahashi).

As per claim 1, Geshwind discloses a method of transmission, from a transmission center to digital television decoders (col. 4, lines 16-22)**, of an application** (on-line catalog) **made up of a set of files containing data** (content) **together constituting interactive pages, a home page of application having a 0 depth level** (level 0)**, a level 1 page** (level 1) **being an interactive page that can be called up through a navigation link from the home page, and more generally a page of depth n** (i.e. level 4, fig. 13) **being a page that can be called up with a minimum of n navigation links from the home page of depth 0,** (col. 23, lines 33-67 & co. 24, lines 1-10, fig. 13) **and** (col. 5, lines 58-67) **the method comprising:**
- receiving the set of files (col. 1, lines 43-67) **necessary for the construction of a plurality of interactive** (interactive) **pages, each interactive page comprising a main file** (men's, lady's, etc., fig. 13) **and included components** (graphics/icon)**, wherein the set of files form an application or a part of the application corresponding to pages having depth levels** (fig. 13, levels 1-4) **lower than a predetermined level** (col. 5, lines 48-57) and (col. 23, lines 33-67 and col. 24, lines 1-10, fig. 13) (col. 6, lines 1-27),

- assigning a depth level to the first (fig. 13, "men's"- level 1) **and second** (fig. 13, "media" – level 1) **interactive page of the application, wherein included components and the main file associated with each interactive page comprises the same depth level** (fig 13, level 1),

- ranking each of the first (fig. 13, "men's"- level 1) **and second** (fig. 13, "media" – level 1) **interactive pages by depth level, wherein the home page** (fig. 13, directory, level 0) **of the application has a depth level of 0 and an interactive page comprising a depth level of n is a page referenced using a minimum of n navigation links from the home page** (col. 23, lines 33-67 & co. 24, lines 1-10, fig. 13),

- constructing transmission modules, wherein the files necessary for the construction of a complete interactive page and corresponding included components, are included in one or more transmission modules (col. 5, lines 48-57) where separate communication connection (logical data construct) is established or delivery of a single file comprising a document or "page" or multiple documents from the same source to the same destination and (col. 23, lines 50-61 and col. 24, lines 1-10).

Geshwind does not explicitly disclose **analyzing the semantic and syntactic content of a first main file of the application to identify inclusion links and the navigation links wherein inclusion links point to included components necessary to form a first interactive page and facilitate display and execution of the included components, and wherein navigation links reference at least a second main file of**

a second interactive page that is of higher or lower depth than the first interactive page.

However, Takahashi discloses **analyzing the semantic and syntactic content of a first main file of the application to identify inclusion links and the navigation links wherein inclusion links point to included components necessary to form a first interactive page and facilitate display and execution of the included components, and wherein navigation links reference at least a second main file of a second interactive page that is of higher or lower depth than the first interactive page** (Takahashi, col. 5, lines 40-59, fig. 8) where reads the data contained in the page A (i.e. main file), analyzes the content of the data to detect the presence of embedded object b and c (i.e. identifying an inclusion link pointing to the included components), and a link object d (i.e. identifying a navigation link referencing a second main file of a second page) and (col. 2, lines25-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate the teaching of Takahashi's method of analyzing content data to identify embedded and linked objects to Hirata's method because this would facilitate in identify files for constructing transmission modules.

As per claim 2, claim 1 incorporated and Geshwind discloses further comprising:

- defining a transmission profile comprising transmission order instructions providing that each interactive page and corresponding included components are

assigned and transmitted with a priority level (col. 25, lines 55-61 and col. 26, lines 1-4) where for particular user or site, deliveries (i.e. transmitted) may be prioritized (i.e. priority level) and where generally people may want to get their web-page text fast, make a decision (i.e. order instructions), and wait for pictures (i.e. components) (col. 10, lines 22-32, fig. 13),

- transmitting the modules with a frequency which is dependent on the order of priorities defined in the transmission profile (col. 21, lines 48-60) where document being viewed would have highest priority within the selected document and (col. 12, lines 29-40) where weight can be assigned based on frequency of inclusion of portion (i.e. the frequency of transmitting modules is dependent on the weighting or priority).

As per claim 3, claim 2 incorporated and Geshwind discloses further comprising: allocating a level of dynamism to the transmission modules wherein the transmission modules comprising interactive pages that are modified more often than others are allocated a greater level of dynamism than the transmission modules comprising interactive pages that are modified less often (col. 12, lines 41-67) where the general principle for Probabilistic Predictive Weighting is the allocating a level of dynamism where files that are more likely the next item that the user will want to access is to weight more heavily than files that are less likely the next item that the user will want to access (thus the transmission modules wherein the transmission modules comprising interactive pages that are modified more often than others are allocated a greater level of dynamism than the transmission modules comprising

interactive pages that are modified less often).

As per claim 4, claim 2 incorporated and Geshwind discloses wherein the priority level is a decreasing function of the depth of the interactive page (col. 23, lines 51-67 and col. 24, lines 1-10, fig. 13) where level 1 is accessed then level 2 thus priority level is a decreasing function of the depth of the interactive page**.**

As per claim 5, claim 3 incorporated and Geshwind discloses wherein the priority level is an increasing function of the dynamism (col. 21, lines 40-61) where section of document viewed would have highest priority within the selected document and where document pyramidization would be (re-) structured so that information describing the details of the currently viewed section would be sent before (or, at least with higher weighting or priority) information describing the other parts of the document.

9. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over David Michael Geshwind (US Patent No. 6507872 B1, referred herein after Geshwind) and Kinya Takahashi (US Patent No 6697859 B1, referred herein after Takahashi) in view of Weidong Mao et al. (US Patent No 6886178 B1, referred herein after Mao).

As per claim 7, claim 1 incorporated Geshwind and Takahashi do not explicitly disclose further comprising: selectively modifying URL access links for navigation or for inclusion in at least one interactive page to render the entire

application or at least a first part of the application accessible in a transmission mode, and to render a second part of the application accessible through a return path.

However, Mao discloses further comprising: selectively modifying URL access links for navigation (navigate) **or for inclusion in at least one interactive page** (desired web page) **to render** (displayed) **the entire application** (broadcast HTML page) (col. 7. 41-54) **or at least a first part of the application accessible in a transmission mode, and to render a second part of the application accessible through a return path** (return path, Mao, col. 2, lines 33-65) where when icon is selected, page can be accessed via return path and be displayed.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate the teaching of Mao's method of navigating a desired page to display the broadcast HTML page and selecting an icon via a return path to display the second part of the broadcast HTML page to Geshwind's and Takahashi's method because this would allow the entire application to be rendered and displayed.

As per claim 9, claim 1 incorporated and Geshwind and Takahashi do not explicitly disclose further comprising: modifying the application to include software instructions for managing a cache memory of a digital decoder configured to receive the application, wherein the software instructions are

configured to: identify the navigation links between a current interactive page displayed and interactive pages referenced by the navigation links of the current interactive page, and load, into the cache memory, said interactive pages referenced by the current interactive page and corresponding included components.

However, Mao discloses further comprising:

- modifying the application to include software instructions for managing a cache memory of a digital decoder configured to receive the application (col. 3, lines 20-41) where the HTML pages (i.e. application) may be accessed (i.e. instructions) directly from the rotating carousel or, depending on the amount of memory in the settop (i.e. digital decoder), some or all of the HTML pages may be locally stored in a high-speed cache memory in the settop for faster access)**, wherein the software instructions are configured to:**

- identify the navigation links between a current interactive page displayed and interactive pages referenced by the navigation links of the current interactive page (web pages), **and load** (stored), **into the cache memory** (cache memory), **said interactive pages referenced by the current interactive page and corresponding included components** (col. 3, lines 28-59) where viewer can navigate among the HTML pages.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate the teaching of Mao's method of managing a cache

memory of a digital decoder configured to receive HTML pages which can be navigated to Geshwind's and Takahashi's method because this would allow for faster access of HTML pages.

10. Claims 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over David Michael Geshwind (US Patent No. 6507872 B1, referred herein after Geshwind) and Kinya Takahashi (US Patent No 6697859 B1, referred herein after Takahashi) and Weidong Mao et al. (US Patent No 6886178 B1, referred herein after Mao) in view of Jeyaprakash K. Chittu et al. ((US Patent No. 2002/0107892 A1, referred herein after Chittu.

As per claim 8, claim 1 incorporated and Geshwind, Takahashi and Moa disclose furthermore comprising a step: quantitatively analyzing the information contained in each file (col. 13, lines 16- 23) where assessment of document's content and relationship or linkages to the weighted document(s) are viewed,

However, Geshwind, Takahashi, and Mao do not explicitly disclose as a function of the results of this analysis, deleting the interactive pages assigned a depth greater than or equal to 1 commencing with the deletion of the pages of greatest depth, until the remaining amount of data to be transmitted is equal to or less than a predefined quantitative limit.

However, Chittu discloses futhermore comprising a step: as a function of the results of this analysis, deleting the interactive pages assigned a depth greater than or equal to 1 commencing with the deletion of the pages of greatest depth, until the remaining amount of data to be transmitted is equal to or less than a predefined quantitative limit (pg. 7, par. 0147) where all parent's children (i.e. interactive pages) can be recursively deleting (i.e. commencing with the deletion of pages of greatest depth).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate the teaching of Chittu's method of deleting parent's children recursively to Geshwind's, Takahashi's, and Mao's method because this would allow flexibility in the management of the file content and transmitted data thus improving performance.

11. Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over David Michael Geshwind (US Patent No. 6507872 B1, referred herein after Geshwind) and Kinya Takahashi (US Patent No 6697859 B1, referred herein after Takahashi) and Weidong Mao et al. (US Patent No 6886178 B1, referred herein after Mao) and Jeyaprakash K. Chittu et al. ((US Patent No. 2002/0107892 A1, referred herein after Chittu) in view of Jay Unger et al. (US Patent No. 6230168 B1, referred herein after Unger).

As per claim 10, claim 7 incorporated and Geshwind, Takahashi, Mao, and Chittu do not explicitly disclose further comprising: modifying the application to include software instructions configured to provide when accessing the second part of the application through the return path, an automatic return to the transmission mode when a request for access to an interactive page which forms part of the transmitted pages is received.

However, Unger discloses further comprising: modifying the application to include software instructions configured to provide when accessing the second part of the application through the return path, an automatic return to the transmission mode when a request for access to an interactive page which forms part of the transmitted pages is received (col. 13, lines 62-67 and col. 14, lines 1-18) where additional components request can be made of complied file even while transmitting already received components to the browser for rendering (i.e. thus request for additional components of a file does not disable the transmission mode).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate the teaching of Unger's method of accessing additional components of a file without disabling transmission mode to Geshwind's, Takahashi's, Mao's, and Chittu's method because this would ensure all the pages of file are transmitted and/or received.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Form 892.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HERMAN BELCHER whose telephone number is (571)270-7205. The examiner can normally be reached on Monday thru Thursday 7:30 AM thru 5:00 PM EST, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fermin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Herman A. Belcher Examiner, Art Unit 2448

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